

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

In the Matter of GOLDEN EYE 2000, LLC, as  
owner of the vessel *GOLDEN EYE 2000* for  
Exoneration From or Limitation of Liability

Case No. 4:19-cv-03402-HSG

**Admiralty - Maritime Claim**

**ORDER AS MODIFIED GRANTING  
PLAINTIFF'S-IN-LIMITATION MOTION  
FOR EXONERATION**

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Dkt. No. 31

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**IT IS HEREBY ORDERED, JUDGED, AND DECREED AS FOLLOWS:**


Pending before the Court is Plaintiff's-in-Limitation unopposed Motion for Exoneration. Dkt. No. 31. The Court finds this matter appropriate for disposition without oral argument and the matter is deemed submitted. See Civil L.R. 7-1(b). For the reasons discussed below, the Court GRANTS Plaintiff's-in-Limitation Motion for Exoneration. The Court finds that one claim and/or answer was made in response to Plaintiff's-in-Limitation complaint for exoneration from and/or limitation of liability within the time periods set forth by the Court. The Court finds that the sole claim has been fully resolved and a stipulation for dismissal of this action with prejudice has been filed concurrently with this motion. Therefore, there are no remaining legally cognizable claims contesting Plaintiff's-in-Limitation right to exoneration from liability. Moreover, default was entered into as to all non-appearing claimants on September 25, 2019, and default judgment was granted on November 1, 2019. Thus, the Court finds that Plaintiff-in-Limitation GOLDEN EYE 2000, LLC is entitled to judgment as a matter of law. The Court further finds that any claims against Plaintiff-in-Limitation are neither permissible nor necessary.

**IT IS HEREBY ORDERED, JUDGED, AND DECREED AS FOLLOWS:**

The stipulation of dismissal with prejudice, attached as Exhibit A to the Declaration of R. Hudson Hollister, has been approved as to form by this Court.

Plaintiff's-in-Limitation Motion for an Order granting exoneration from liability is granted. Accordingly, Plaintiff-in-Limitation and the vessel *GOLDEN EYE 2000* are forever Exonerated and discharged from any and all claims, losses, injuries, and/or damages occasioned as a result of the incident on or about December 15, 2018, in the navigable waters of the Pacific Ocean off the coast of California between San Francisco and the Farallon Islands, allegedly resulting in personal injuries to Vitaliy Peshko. The Court further directs the Clerk to enter JUDGMENT in Plaintiffs-in-Limitation's favor and to close the case.

Dated: 10/3/2023

  
Honorable Haywood S. Gilliam, Jr.  
U.S. District Court Judge  
Northern District of California